

REMARKS

Claims 26, 27, and 29-45 are presently pending. Claims 26, 36-39, and 41 are independent.

Applicants' representatives wish to thank the Examiner and his supervisor for the courtesies extended during the personal interview of May 15, 2009. During the personal interview the differences between the claimed invention and the applied art was discussed. Those distinctions will be discussed in detail below.

Claims 26, 27, 29-32, 34, and 36-45 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent Publication No. 2003/0068571 (Uehara et al.) in view of U.S. Patent No. 4,673,303 (Sansone et al.) Claims 33 and 35 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Uehara et al. in view of Sansone et al. and further in view of U.S. Patent No. 6,059,407 (Komatsu et al.) At least for the reasons discussed during the interview and as follows, these rejections are respectfully traversed.

I. Description of the Applied References

Uehara et al. relates to a method and apparatus for forming an image. A charger 18 ionizes the surrounding air to impart a charge to the intermediate transfer member 16. Resin particles 2 are stirred in a container 48, and as a result of rubbing against one another the resin particles become charged. The charged resin particles are then deposited onto the intermediate transfer member to form a thin resin particle layer 8. The intermediate transfer medium 16 is then further conveyed, so as to pass an electrostatic dissipative device 26, which removes the charge from the intermediate transfer medium and the resin particle layer, so as not to deflect the position of an ink droplet being discharged. Ink droplets are then deposited into the cavities between the resin particles. A fixing device 46

then applies heat and pressure to the resin particle layer to transfer the resin particle layer and the ink to a recording medium 34.

Sansone et al. relates to a postage meter which utilizes an offset printing roller. Sansone et al. discloses that it may be desirable to modify the characteristics of ink, after it has been applied to the surface 112, in order to increase the viscosity of the ink to obtain a sharper image.

II. Whether the Combination of the Applied References is Proper

The Office Action asserts, on page 10, that “it would have been obvious to one having ordinary skill in the art at the time the invention was made to use liquid/fluid materials that interacts with the ink for reducing the fluidity of ink, i.e. coagulating the ink, on the intermediate transfer body of Uehara et al. based on the teachings of Sansone et al. in order to provide various liquid materials that requires the use of less energy during transfer and fixing steps as compared to non liquid materials, which need more energy for instance to melt or melt and evaporate during transfer and fixing steps. Also to obtain sharper, better defined images by increasing the viscosity of the ink during printing.” Applicants respectfully disagree.

As discussed above, Sansone et al. discloses applying a fluid to increase the viscosity of the ink, thereby reducing the mobility of the ink, in order to obtain a sharper image. However, in Uehara et al. the ink is deposited into the cavities between the resin particles. Thus “because the ink is effectively retained in the cavities between the resin particles, drying of the ink is accelerated and problems such as bleeding and stains do not occur even when color images are printed.” (Uehara et al., paragraph [0019]). Therefore, because the ink is already effectively retained in Uehara et al. one of ordinary skill in the

art would not modify Uehara et al. to apply a fluid to the ink in order further increase the viscosity, i.e. decrease the mobility, of the ink.

Furthermore, in contradiction to MPEP §2143.01, modifying Uehara et al. to use the fluid disclosed in Sansone et al. rather than the resin particle layer, would render Uehara et al. unsatisfactory for its intended purpose. Uehara et al. states that “when resin particles are melted and hardened by fixing to form the resin particle layer, an image made of ink is incorporated into the resin layer, whereby an image having not only excellent resistance to water and light, which are insufficient in images formed solely with dye ink, but excellent ozone resistance as well can be formed.” (Uehara et al., paragraph [0026]). Therefore, substituting the fluid method of Sansone et al. for the resin particles of Uehara et al. would eliminate the distinct advantages of using resin particles, as disclosed in Uehara et al. Furthermore, also in contradiction of MPEP §2143.01, such a modification would also change the basic principle of operation in Uehara et al. from a printing method using a resin particle layer to one without.

Accordingly, Applicants submit that not only is there no motivation to combine Uehara et al. and Sansone et al., but that such a combination would render Uehara et al. unsatisfactory for its intended purpose, as well as change the basic principle of operation therein. Therefore, Applicants submit that the combination of Uehara et al. and Sansone et al. is not proper.

III. Whether the Applied References, Even if Properly Combined, Disclose Every Feature of Applicant’s Invention

Even assuming, *arguendo*, that the combination of Uehara et al. and Sansone et al. is proper, the proposed combination does not teach or suggest features of Applicants' invention.

With regard to the rejection of Claims 26, 27, 29-32, 34, and 36-45 under 35 U.S.C. §103(a) as allegedly being obvious over Uehara et al. in view of Sansone et al. Applicants submit the following remarks.

Claim 26 relates to an image forming method. The method includes the steps of performing hydrophilic treatment for making a surface of an intermediate transfer body hydrophilic by applying energy to the surface of the intermediate transfer body, applying a liquid for reducing the fluidity of ink on the intermediate transfer body having the surface on which the hydrophilic treatment has been performed, forming an image by ejecting the ink from an ink jet head on the intermediate transfer body on which the liquid has been applied, and transferring the image formed on the intermediate transfer body to a recording medium.

The Office Action, on page 3, asserts that Uehara et al. discloses performing hydrophilic treatment for making a surface of an intermediate transfer body hydrophilic by applying energy to the surface of the intermediate transfer body, by "using element 18 in Figures 3-6 and 8" of Uehara et al. Element 18 corresponds to a charger for ionizing the surrounding air to impart a charge to the intermediate transfer member. Uehara et al. does not explicitly disclose that imparting a charge to the intermediate transfer member makes the member hydrophilic. Therefore, the assertion in the Office Action is unsupported by the reference. MPEP §2144.03 requires that an assertion of fact unsupported by documentary evidence be "capable of such instant and unquestionable demonstration as to

defy dispute.” Applicants submit that the fact presently asserted, namely that the charger 18 of Uehara et al., makes the intermediate transfer member hydrophilic, fails to meet this standard. Thus, in contrast to Applicants’ Claim 26, Uehara et al., does not teach or suggest, among other features, an image forming method including the step of performing hydrophilic treatment for making a surface of an intermediate transfer body hydrophilic by applying energy to the surface of the intermediate transfer body. Furthermore, Applicants submit that Sansone et al., fails to remedy the deficiencies of Uehara et al., discussed above.

With regard to independent Claim 36, Applicants submit that at least for the reasons discussed above in regard to Claim 26, the combination of Uehara et al., and Sansone et al., does not teach or suggest, among other features, performing plasma processing on a surface of an intermediate transfer body to make the surface hydrophilic.

With regard to independent Claim 37, Applicants submit that at least for the reasons discussed above in regard to Claim 26, the combination of Uehara et al., and Sansone et al., does not teach or suggest, among other features, performing plasma processing on a surface of an intermediate transfer body, the surface containing at least one of fluororubber and silicone rubber, to make the surface hydrophilic.

With regard to independent Claim 38, Applicants submit that at least for the reasons discussed above in regard to Claim 26, the combination of Uehara et al., and Sansone et al., does not teach or suggest, among other features, applying a liquid for reducing the fluidity of ink on an intermediate transfer body on which hydrophilic treatment of applying energy to the intermediate transfer body to make the intermediate transfer body hydrophilic has been performed.

With regard to independent Claim 39, Applicants submit that at least for the reasons discussed above in regard to Claim 26, the combination of Uehara et al. and Sansone et al. does not teach or suggest, among other features, applying a liquid for reacting with an ink on an intermediate transfer body on which hydrophilic treatment by plasma processing has been performed.

With regard to independent Claim 41, Applicants submit that at least for the reasons discussed above in regard to Claim 26, the combination of Uehara et al. and Sansone et al. does not teach or suggest, among other features, applying a liquid for reacting with ink on an intermediate transfer body on which hydrophilic treatment by application of energy to the intermediate transfer body has been performed.

Accordingly reconsideration and withdrawal of the rejection of Claims 26, 27, 29-32, 34, and 36-45 under 35 U.S.C. §103(a) is respectfully requested.

With regard to the rejection of Claims 33 and 35 under 35 U.S.C. §103(a), Applicants submit that Komatsu et al. fails to remedy the deficiencies of Uehara et al. and Sansone et al. discussed above in regard to Claim 26, from which Claims 33 and 35 depend. Therefore, the combination of Uehara et al., Sansone et al., and Komatsu et al. even if proper, fails to disclose features of Applicants' invention as recited in Claims 33 and 35.

Accordingly, reconsideration and withdrawal of the rejection of Claims 33 and 35 under 35 U.S.C. § 103(a) is respectfully requested.

Applicants submit that the present invention as set forth in the independent claims is patentable over the cited art. The dependent claims set forth additional features of the Applicants' invention. Independent consideration of the dependent claims is respectfully

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requested. For the foregoing reasons, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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